

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FELICIA R. ALLEN,
Plaintiff,

v.

USA CORPORATION, et al.,
Defendants.

Case No. 23-cv-02134-KAW

THIRD ORDER TO SHOW CAUSE

Re: Dkt. No. 16

On October 19, 2023, the Court issued an order to show cause why this case should not be dismissed for failure to serve Defendants pursuant to Federal Rule of Civil Procedure 4(m). (Dkt. No. 12.) Plaintiff's response was due by November 9, 2023. The Court continued the Initial Case Management Conference set for October 24, 2023 to November 28, 2023. (Dkt. No. 11.) The Court did not receive a response.

On December 20, 2023, the Court issued a second order to show cause why this case should not be dismissed for failure to comply with the deadline to complete service on Defendants by: (1) filing proof that Defendants have been served, and (2) explaining why Plaintiff failed to respond to the Court's prior order to show cause. (Dkt. No. 14.) The Court continued the Initial Case Management Conference to January 23, 2024. (Dkt. No. 13.)

On January 8, 2024, the Court's first order to show cause, which was sent to Plaintiff via mail, was returned as undeliverable due to incorrect address. (Dkt. No. 15.) On January 18, 2024, the Court's second order to show cause, which was also sent to Plaintiff via mail, was returned as undeliverable due to incorrect address. (Dkt. No. 17.) The Court continued the Initial Case Management Conference hearing set for January 23, 2024 to March 26, 2024. (Dkt. No. 16.)

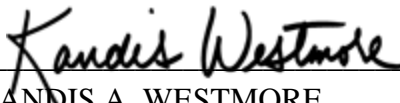
On January 22, 2024, a notice of change of address was filed. (Dkt. No. 19.)

1 Plaintiff has still failed to serve Defendants pursuant to Federal Rule of Civil Procedure
2 4(m) and, additionally, failed to file a case management conference statement, requiring that the
3 Court again continue the case management conference.

4 Accordingly, the Court ORDERS Plaintiff to show cause by **May 23, 2024**, why this
5 matter should not be dismissed for failure to comply with the deadline to complete service on
6 Defendants by filing proof that Defendants have been served. Failure to comply **will** result in the
7 Court reassigning the case to a district judge with the recommendation that the case be dismissed
8 for failure to serve.

9 **IT IS SO ORDERED.**

10 Dated: March 26, 2024

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12 KANDIS A. WESTMORE
13 United States Magistrate Judge
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